

FORM PTO 1390 (REV 5-93) US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2004_1909A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		
International Application No. PCT/JP03/06988	International Filing Date June 3, 2003	U.S. APPLICATION NO. <b>10/516360</b> (if known, see 37 CFR 1.14) NEW
<b>Title of Invention</b> PREVENTIVES AND/OR REMEDIES FOR SUBJECTS WITH THE EXPRESSION OR ACTIVATION OF Her2 AND/OR EGFR		
<b>Applicant(s) For DO/EO/US</b> Tsuyoshi SUZUKI, Yasunori KITANO, Shinji YANO		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)). <b>ATTACHMENT A</b></li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19.</li> <li>9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). <b>ATTACHMENT B</b></li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).</li> </ol>		
<b>Items 11. to 14. below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <b>ATTACHMENT C</b></li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <b>ATTACHMENT D</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ul> </li> <li>14. <input checked="" type="checkbox"/> Other items or information: ■ <b>WO 03/101491 - ATTACHMENT E</b></li> </ol>		

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY  
FEE FOR THIS PAPER TO DEF  
ACCOUNT NO. 23-0975.

U.S. APPLICATION NO. NEW <b>10/516360</b>	INTERNATIONAL APPLICATION NO. PCT/JP03/06988	ATTORNEY'S DOCKET NO. 2004_1909A		
15. [X] The following fees are submitted		CALCULATIONS PTO USE ONLY		
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00 International Search Report has been prepared by the EPO or JPO ..... \$ 950.00 International preliminary examination fee not paid to USPTO but international search paid to USPTO ..... \$ 790.00 International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690.00 International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). ..... \$ 100.00				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$950.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
Claims	Number Filed	Number Extra	Rate	
Total Claims	37 -20 =	17	X \$18.00	\$306.00
Independent Claims	3 - 3 =	0	X \$88.00	\$
Multiple dependent claim(s) (if applicable)		+ \$300.00	\$300.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$1,556.00		
[ ] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$		
<b>SUBTOTAL =</b>		\$1,556.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$		
<b>TOTAL NATIONAL FEE =</b>		\$1,556.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$		
<b>TOTAL FEES ENCLOSED =</b>		\$1,556.00		
		Amount to be refunded	\$	
		Amount to be charged	\$	
<p>a. [X] A check in the amount of \$1,556.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.</p> <p>b. [ ] Please charge my Deposit Account No.23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [ ] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u>.</p>				
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>				
19. CORRESPONDENCE ADDRESS  CUSTOMER NO. <b>000513</b>		<p>By: <u>Warren Cheek Jr.</u> Warren M. Cheek, Jr., Registration No. 33,367</p> <p>WENDEROTH, LIND &amp; PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250</p> <p>December 1, 2004</p>		

[CHECK NO. 65495

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